bill which was first developed by the Chicago Crime Commission is aimed at strengthening the prosecution in criminal cases. Reports of several recent investigations have recommended enactment of this type of legislation, including the report of the U. S. Senate Committee on the District of Columbia in 1952.

"It is felt by many that the passage by State legislatures of this bill or a similar one would result not only in expediting criminal investigations but also in attracting to office officials with a high standard of integrity and public duty. It is felt, moreover, that it would tend to eliminate from public office those individuals whose only desire for public office is to abuse the trust by participating in practices which cannot stand the light of public exposure.

"It has been argued that the bill in effect nullifies the constitutional protection against self-incrimination for the public officials involved. They may exercise their privilege, but to do so involves the loss of their primary livelihood. It can be said, however, that the bill will not deprive any person of his constitutional right to refuse to testify, but does provide that no person serving the public can hide his criminality behind that privilege and still hold public office. An official may assert his constitutional right, but he has no constitutional right to hold his office."[1]

The statement following the Senate Bill is identical to that contained in the *Suggested State Legislation Program for 1953,* published by the Council of State Governments.[2]

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[1] These two statements are found in New Jersey Session Law 1953, Chapter 259, following page 1759.

[2] Headquarters for the Council of State Governments is 1313 E. 60th Street, Chicago, Illinois. The quoted language and the Council's suggested Act is found at page 117 of its publication, *Suggested State Legislation Program for 1953.*

The wording of the act proposed by the Council was substantially the same as that enacted by the New Jersey Legislature; however, the Council proposed a five-year disqualification from public office, whereas the New Jersey statute provides for permanent disqualification.

APPENDIX B

[Certified copies of the following orders have been filed with the Clerk of this Court.]

SUPREME COURT OF NEW JERSEY

IN THE MATTER OF THE MUNICIPAL COURT OF THE BOROUGH OF BELLMAWR

Order

The attention of the Court having been directed by the Administrative Director of the Courts to alleged irregularities in the handling of cases in the Municipal Court of the Borough of Bellmawr and good cause appearing;

It is on this 30th day of June, 1961 ORDERED that Attorney General David D. Furman or a Deputy Attorney General designated by him be and hereby is appointed, authorized and directed for and on behalf of this Court to investigate the handling of cases in said Municipal Court and the conduct of all the persons connected therewith;

And it is FURTHER ORDERED that the said Attorney General or Deputy Attorney General be and hereby is authorized and empowered to issue subpoenas in the name of the Clerk of the Superior Court, and to subpoena and enforce the attendance of witnesses, to administer oaths, and to require the production of any books, papers, documents or tangible things designated therein, deemed relevant or material in the said investigation, and the process of subpoena authorized herein shall be served in the same manner

and be of the same force and effect as like process in civil actions in the Superior Court;

And it is FURTHER ORDERED that the said Attorney General or Deputy Attorney General impound and take into his custody forthwith all the books, records, files, traffic tickets and other papers and documents of said Municipal Court, as he shall deem relevant or material to said investigation and that while the same are impounded the said Municipal Court shall utilize and maintain such other temporary books and records as may be necessary for the conduct of its business as the Administrative Director of the Courts shall specify;

And it is FURTHER ORDERED that a hearing be held before a Master to be designated by the Chief Justice who shall take such testimony and receive such evidence as shall be presented by said Attorney General or Deputy Attorney General, which testimony shall be recorded by an official court reporter, and in the taking of which the said Master shall not be bound by the strict rules of evidence;

And it is FURTHER ORDERED that the hearing before said Master be held in camera;

And it is FURTHER ORDERED that said Master prepare a report of the hearing before him stating his findings of fact and file with the Clerk of this Court (1) an original and seven copies of said report; (2) an original and seven copies of the transcript of the testimony taken; and (3) the original of all exhibits admitted in evidence at the hearing before him;

And it is FURTHER ORDERED that this investigation be made, a hearing held and a report submitted to this Court by October 1, 1961.

By the Court,

/s/ JOSEPH WEINTRAUB
C.J.

SUPREME COURT OF NEW JERSEY

IN THE MATTER OF THE MUNICIPAL COURT OF THE BOROUGH OF BELLMAWR

Order

ORDERED that the time for the submission of the report in this matter be extended to November 15, 1961.

By the Court,

/s/ JOSEPH WEINTRAUB
C.J.

Dated: September 25, 1961

SUPREME COURT OF NEW JERSEY

IN THE MATTER OF THE MUNICIPAL COURT OF THE BOROUGH OF BELLMAWR

Order

The Order of this Court dated June 30, 1961 is amended to delete the provisions thereof relating to a hearing before a Master and in lieu thereof the Attorney General or Deputy Attorney General is directed to prepare a report of his investigation and file with the Clerk of this Court an original and eight copies of said report along with the original statements, books, papers and documents deemed relevant to said report.

It is further Ordered that the investigation be completed and said report be filed as soon as conveniently possible.

By the Court,

/s/ JOSEPH WEINTRAUB
C.J.

Dated: November 6, 1961.

SUPREME COURT OF NEW JERSEY

IN THE MATTER OF THE MUNICIPAL COURT OF THE BOROUGH OF BARRINGTON

Order

The attention of the Court having been directed by the Administrative Director of the Courts to alleged irregularities in the handling of cases in the Municipal Court of the Borough of Barrington and good cause appearing;

It is on this 30th day of June, 1961 ORDERED that Attorney General David D. Furman or a Deputy Attorney General designated by him be and hereby is appointed, authorized and directed for and on behalf of this Court to investigate the handling of cases in said Municipal Court and the conduct of all the persons connected therewith;

And it is FURTHER ORDERED that the said Attorney General or Deputy Attorney General be and hereby is authorized and empowered to issue subpoenas in the name of the Clerk of the Superior Court, and to subpoena and enforce the attendance of witnesses, to administer oaths, and to require the production of any books, papers, documents or tangible things designated therein, deemed relevant or material in the said investigation, and the process of subpoena authorized herein shall be served in the same manner and be of the same force and effect as like process in civil actions in the Superior Court;

And it is FURTHER ORDERED that the said Attorney General or Deputy Attorney General impound and take into his custody forthwith all the books, records, files, traffic tickets and other papers and documents of said Municipal Court, as he shall deem relevant or material to said investigation and that while the same are impounded the said Municipal Court shall utilize and maintain such other temporary books and records as may be necessary for the conduct of its business as the Administrative Director of the Courts shall specify;

And it is FURTHER ORDERED that a hearing be held before a Master to be designated by the Chief Justice who shall take such testimony and receive such evidence as shall be presented by said Attorney General or Deputy Attorney General, which testimony shall be recorded by an official court reporter, and in the taking of which the said Master shall not be bound by the strict rules of evidence;

And it is FURTHER ORDERED that the hearing before said Master be held in camera;

And it is FURTHER ORDERED that said Master prepare a report of the hearing before him stating his findings of fact and file with the Clerk of this Court (1) an original and seven copies of said report; (2) an original and seven copies of the transcript of the testimony taken; and (3) the original of all exhibits admitted in evidence at the hearing before him;

And it is FURTHER ORDERED that this investigation be made, a hearing held and a report submitted to this Court by October 1, 1961.

By the Court,

/s/ JOSEPH WEINTRAUB
C.J.

SUPREME COURT OF NEW JERSEY

IN THE MATTER OF THE MUNICIPAL COURT OF THE BOROUGH OF BARRINGTON

Order

ORDERED that the time for the submission of the report in this matter be extended to November 15, 1961.

By the Court,

/s/ JOSEPH WEINTRAUB
C.J.

Dated: September 25, 1961

SUPREME COURT OF NEW JERSEY

IN THE MATTER OF THE MUNICIPAL COURT OF THE BOROUGH OF BARRINGTON

Order

The Order of this Court dated June 30, 1961 is amended to delete the provisions thereof relating to a hearing before a Master and in lieu thereof the Attorney General or Deputy Attorney General is directed to prepare a report of his investigation and file with the Clerk of this Court an original and eight copies of said report along with the original statements, books, papers and documents deemed relevant to said report.

It is further Ordered that the investigation be completed and said report be filed as soon as conveniently possible.

By the Court,

/s/ JOSEPH WEINTRAUB
C.J.

Dated: November 6, 1961